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22 August
1955

OGC Has Reviewed

19 August 1955

MEMORANDUM FOR: Director of Logistics

ATTENTION : [REDACTED] 25X1A9a

SUBJECT : [REDACTED] Reimbursement for Use of Personal Vehicles
25X1A

1. As a result of participating in a recent amendment to [REDACTED], this Office has reviewed the substantive contents of this Regulation and is of the opinion that it contains several provisions which are subject to legal question.

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2. As you know, the Standardized Government Travel Regulations authorize the use of a personally owned automobile on official business subject to reimbursement either at the rate of ten cents per mile or on an actual expense basis. Those costs, subject to reimbursement on an actual expense basis, are defined in detail in paragraph 12 of the Regulations. These Regulations derive their authority from the Travel Expense Act of 1949, as amended, and are, with respect to the use of personally owned automobiles, applicable to both the United States and overseas.

25X1A

4. This Office has consistently held that the special legislative authorities of the CIA may not be used to solve normal administrative problems which are also encountered by other Government agencies. Other Government agencies are confronted with unusual operating cost and road conditions abroad which would aggravate the expense of running a vehicle. Presumably, when reimbursement at the rate of ten cents a mile would be inadequate under these conditions, other Government agencies fall back on the actual expense provision of the Standardized Government Travel Regulations. It is our opinion that in most instances this Agency must solve this problem in the same manner. To deviate from normal practice

under its special authorities, a unique security or operational reason must be established. It is conceivable that in isolated cases such factors may warrant reimbursement on a basis other than that provided in the Standardized Government Travel Regulations. [REDACTED] does not, however, limit the exception to these cases.

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5. It is the opinion of this Office that the [REDACTED] should be amended to provide for reimbursement on a basis compatible with that provided in the Standardized Government Travel Regulations unless security and operational considerations peculiar to this Agency dictate an exception.

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(25X1)A9a
[REDACTED]

Office of General Counsel

OGC/MLE:mz:mks

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